IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

NOTICE OF MOTION NO.4449 OF 2006
IN
APPEAL NO.978 OF 2005
IN
NOTICE OF MOTION NO.2784 OF 2004
IN
SUIT NO.2788 OF 2004

Vasant Pandurang Parte. ...Appellant.
Vs.
Arun Balwant Mane & Ors. ...Respondents.

....

Shri J.G. Shukla i/b. G.H. Shukla & Co. for the appellant.
Shri D.R. Jhuria i/b. Shri Vikas Mahangare for the respondent Nos.2 and 3.
Shri Milind More, AGP for the respondent Nos. 4 and 5.

.....

CORAM : R. M. S.KHANDEPARKAR &
DR.D.Y.CHANDRACHUD, JJ.

January 15, 2007.

P.C.

Heard the Advocate for the parties. Perused the affidavit in support of the Notice of Motion. Considering the facts disclosed therein, sufficient cause has been shown for the absence of the appellant and his Advocate. Accordingly, the order of dismissal for default is hereby recalled and Appeal No.978 of 2005 is restored to the Board.

The Notice of Motion is made absolute. No order as to costs.

(R. M. S.KHANDEPARKAR, J.)

(DR.D. Y. CHANDRACHUD, J.)